

**THE VILLAGE OF WILLOW SPRINGS
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2012-O-16**

**AN ORDINANCE AMENDING TITLE 7 AND TITLE 11 OF THE VILLAGE
CODE OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY,
ILLINOIS**

**ALAN NOWACZYK, President
ADENA BASKOVICH, Clerk**

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TRUSTEES

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ORDINANCE NO 2012-O-16

**AN ORDINANCE AMENDING TITLE 7 AND TITLE 11 OF THE VILLAGE
CODE OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY,
ILLINOIS**

WHEREAS, the Village of Willow Springs, Cook County, Illinois (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and Board of Trustees of the Village of Willow Springs (the "Corporate Authorities") may from time to time amend the text of Village Code when it is determined to be in the best interests of the Village; and

WHEREAS, the Corporate Authorities have determined it necessary to amend the certain fire and police fees in the Village in order to more effectively be able to provide services to businesses and citizens in the Village.

NOW, THEREFORE, BE IT ORDAINED by the Village President and Village Board of Trustees of the Village of Willow Springs, Cook County, Illinois, as follows:

Section 1. Incorporation of Recitals. That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2. Title 7 ("*Fire Regulations*") is hereby amended by adding the following new Chapter to read as follows:

CHAPTER 7

RESCUE SERVICES

7-1-1: Technical Rescue Services:

The Village may charge a reasonable fee for technical rescue services provided by the Village of Willow Springs Fire Department. The total amount collected may not exceed the reasonable cost of providing the technical rescue services and will include charges for personnel and equipment cost.

7-1-2: Specialized Rescue Services:

The Village of Willow Springs Fire Department shall fix, charge, and collect reasonable fees for specialized rescue services provided by the department. The total amount collected shall not exceed the reasonable cost of providing those specialized rescue services and may not, in any event, exceed \$125 per hour per vehicle and \$35 per hour per firefighter. The fee shall be charged to any of the following parties, but only after there has been a finding of fault against that party by the Occupational Safety and Health Administration or the Illinois Department of Labor:

- (a) the owner of the property on which the specialized rescue services occurred;
- (b) any person involved in an activity that caused or contributed to the emergency;
- (c) an individual who is rescued during the emergency and his or her employer if the person was acting in furtherance of the employer's interests;
- (d) in cases involving the recovery of property, any person having control or custody of the property at the time of the emergency.

For the purposes of this Section, the term "specialized rescue services" includes, but is not limited to, structural collapse, tactical rescue, high angle rescue, underwater rescue and recovery, confined space rescue, below grade rescue, and trench rescue.

7-1-3: Collection Procedures:

The Willow Springs Fire Department shall prepare and forward to the person or persons causing or permitting a technical or specialized rescue response as set forth in this Chapter, a bill for the total costs and expenses incurred for which such person is responsible. Payment of the total bill shall be made within 30 days of receipt. Any bill or portion of a bill remaining unpaid after 30 days of receipt shall accrue interest on the unpaid balance at the rate of 3 percent per month. Any uncollected portion of the bill not paid after 90 day will be forwarded to the Village's collection agency.

Any person or entity that refuses to pay or fails to pay the above listed charges within sixty (60) days of notice of the charge, will be deemed to have violated this Chapter and will incur a fine of not less than \$100.00 nor more than \$500.00 for each offense, plus

all legal fees and all costs caused by enforcement. Such fees and costs shall include, but not be limited to, attorneys' fees and the cost of collection. A separate offense shall be deemed committed for each day on which a violation occurs and continues.

Section 3. Subsection A (*"Arrests"*) of Section 4 (*"Penalty Provisions"*) of Chapter 1 (*"Administration and Enforcement"*) of Title 11 (*"Traffic and Motor Vehicles"*) of the Village Code of the Village of Willow Springs is hereby amended by adding the following new underlined language to read, as follows:

- A. Arrests: Any person arrested for a violation of any provision of this title shall be released upon proper bail being furnished as required by statute. The police officer in command at the station may, in the absence of a magistrate or justice, prescribe the amount of bail or bond in each instance. Provided, that any arrested person may at his own request, have the amount of such bond set by a magistrate or justice of the peace as provided by statute. The arrested person must also pay a fee of twenty dollars (\$20.00) to the Village for bail processing.

Section 4: Subsection I (*"Fines, Penalties and Costs"*) of Section 9 (*"Administrative Adjudication System"*) of Article D (*"Parking Regulations"*) of Chapter 5 (*"Rules of the Road"*) of Title 11 (*"Traffic and Motor Vehicles"*) of the Village Code of the Village of Willow Springs is hereby amended by deleting the stricken language and adding the following new underlined language to read, as follows:

I. Fines, Penalties and Costs

1. The registered owner, lessee, operator or responsible party charged with a violation of any ordinance prohibiting, restricting or regulating the parking or standing of motor vehicles in the Village shall, upon conviction thereof, be fined not less than ~~forty~~ fifty dollars (~~\$450.00~~) nor more than ~~two~~ seven hundred fifty dollars (~~\$2750.00~~) for each offense. The fine shall be uniform and shall be applied for a violation of any ordinance in effect presently or made effective in the future prohibiting, restricting or regulating the parking or standing of motor vehicles in places other than those places restricted for handicapped parking only.
2. The registered owner, lessee, operator or responsible party charged with a violation of any ordinance prohibiting, restricting or regulating the parking or standing of unpermitted motor vehicles in parking spaces, in regulated

parking lots or on Village streets specifically designated as places restricted for handicapped parking only, with the Village shall, upon conviction thereof, be fined not less than two hundred fifty dollars (\$250.00) nor more than three hundred fifty dollars (\$350.00) for each offense. This fine shall be uniform and shall be applied for a violation of any ordinance in effect presently or made effective in the future prohibiting, restricting or regulating the parking or standing of unpermitted motor vehicles in places specifically designated as places restricted for handicapped parking only.

3. In the event a person receiving a citation for a parking violation fails to pay the fine indicated on the citation prior to the deadline stated on the citation, fails to request a hearing on the merits of the parking violation in the time and manner specified on the citation or, after having requested a hearing on the merits of the parking violation in the time and manner specified on the citation fails to appear at the hearing at the time, date and place specified, then the fine shall increase to eighty one hundred dollars (\$8100.00) and shall be assessed against said person for the violation of the ordinance set forth in the citation.
4. Separate fines shall be imposed against a person for each and every conviction of each and every violation of any ordinance prohibiting, restricting or regulating the parking or standing of motor vehicles in the Village.

Section 5: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

Section 6: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7: This Ordinance shall be in full force and effect upon its passage, approval and publication as provided by law.

ADOPTED this 12th day of April, 2012, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Bartik	✓			✓
Kaptur	✓			✓
Imbarrato			✓	
Maloney	✓			✓
Stanphill	✓			✓
Strazzante	✓			✓
(Mayor Nowaczyk)				✓
TOTAL	5	0	1	6

APPROVED this 12th day of April, 2012.


Alan Nowaczyk, Village President

Published and Deposited in my office this 12th day of April, 2012.


Adena Baskovich, Village Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATE OF PUBLICATION OF ORDINANCE

I, Adena Baskovich, certify that I am the duly appointed Village Clerk of the Village of Willow Springs, Cook County, Illinois.

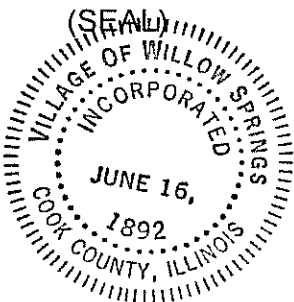
I further certify that on April 12, 2012, the Corporate Authorities of such municipality passed and approved No. 2012-O-16, entitled:

AN ORDINANCE AMENDING TITLE 7 AND TITLE 11 OF THE VILLAGE CODE OF THE VILLAGE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2012-O-16, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on April 12, 2012, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

DATED at Willow Springs, Cook County, Illinois, this 12th day of April, 2012.




Village Clerk